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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/626,596	07/25/2003	Yuzhong Shen	Q76612	9765
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SUITE 800				
WASHINGTON, DC 20037				
EXAMINER				
VIANA DI PRISCO, GERMAN				
ART UNIT		PAPER NUMBER		
2617				
MAIL DATE		DELIVERY MODE		
12/18/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/626,596

Applicant(s)

SHEN ET AL.

Examiner

GERMAN VIANA DI PRISCO

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 8-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 8-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/5508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 07/30/2008 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3 and 8-13 rejected under 35 U.S.C. 102(e) as being anticipated by Ravishankar (United States Patent Application Publication No.: US 2006/0133595 A1).

Consider claims 1-3, Ravishankar clearly shows and discloses an interception device comprising a Session Initiation Protocol proxy server or a Media Gateway Controller which detects information in signaling information (surveillance and signaling router 100 which is capable of receiving SIP, H.323 and SS7 signaling messages) transmitted between a first (102A) and a second (102B) Internet Protocol (IP) party and

which generates instructions based on the detected signaling information that instruct a Real-time Transport Protocol (RTP) proxy server (call server 108 and 110) to create a first and a second channel (through ports B and C) to intercept a media stream between the first and second IP parties, wherein the first IP party receives the media stream from the RTP proxy server on the first channel and the second IP party receives the media stream from the RTP proxy server on the second channel (figure 4, paragraphs [0036]-[0040], claims 1-6 and 9).

Consider claim 8, Ravishankar clearly shows and discloses an intercept system for intercepting a first data stream transmitted between a first (102A) Internet Protocol (IP) address and a second (102B) IP address, the intercept device comprising: a first server (surveillance and signaling router 100) which detects information in the first data stream and which generates an instruction based on said detected information; a second which creates a first channel and a second channel (through ports B and C of media proxy server 110) based on said generated instruction, wherein the first IP address receives the first data stream from the second server on the first channel and the second IP address receives a second data stream from the second server on the second channel, and wherein said second server routes said first data stream through a storage device which stores a copy of said first data stream (inherently taught by delivery function 112) (figure 4, paragraphs [0036]-[0040]).

Consider claim 9, and as applied to claim 8 above, Ravishankar further discloses that the first server is at least one of a Session Initiated Protocol proxy server and a Media Gateway Controller (claims 1-6).

Consider claim 10, and as applied to claim 8 above, Ravishankar further discloses that the second server is a Real-time Transport Protocol proxy server (media proxy server 110 in figure 4 and paragraph [0037]).

Consider claim 11, and as applied to claim 8 above, Ravishankar further discloses that the second server further routes a second data stream, transmitted in the opposite direction as the first data stream, through the storage device, which stores a copy of said second data stream (media proxy server 110 forwards a copy of the media communications to delivery function 112, paragraph [0040]).

Consider claim 12, and as applied to claim 1 above, Ravishankar further discloses that the first IP party transparently sends the media stream to the RTP proxy server on the second channel and the second IP party transparently sends the media stream to the RTP proxy server on the first channel (the connection through media proxy server 110 is set up transparently, paragraph [0039]).

Consider claim 13, and as applied to claim 8 above, Ravishankar further discloses that the first IP address transparently sends the first data stream to the second server on the second channel and the second IP address transparently sends the second data stream to the second server on the first channel (the connection through media proxy server 110 is set up transparently, paragraph [0039]).

Response to Arguments

4. Applicant's arguments with respect to claims 1-3 and 8-11 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Any response to this Office Action should be **faxed to (571) 273-8300 or mailed to:**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Hand-delivered responses should be brought to

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GERMAN VIANA DI PRISCO whose telephone number is (571)270-1781. The examiner can normally be reached on Monday through Friday 7:30-5:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rafael Perez-Gutierrez can be reached on (571) 272-7915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/German Viana Di Prisco/
Examiner, Art Unit 2617

/Rafael Pérez-Gutiérrez/
Supervisory Patent Examiner, Art Unit 2617

December 10, 2008